



STATE OF CONNECTICUT
JUDICIAL BRANCH

STATEWIDE GRIEVANCE COMMITTEE

Michael P. Bowler, *Statewide Bar Counsel*

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Attorney Mark Dubois
Chief Disciplinary Counsel
100 Washington Street
Hartford, CT 06106

Attorney Kevin C. McDonough
19 Commerce Street
Clinton, CT 06413-2054

RE: Grievance Complaint #05-0886, Hall v. McDonough

Dear Chief Disciplinary Counsel and Respondent:

Pursuant to Practice Book §2-82(b), the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, have reviewed the *Conditional Admission and Agreement as to Discipline* (hereinafter “*Conditional Admission*”) filed December 22, 2005 and submitted for approval in the above referenced matter. After careful consideration of the *Conditional Admission*, the *Affidavit* of the Respondent submitted pursuant to Practice Book §2-82(c) and the entire record of the complaint, and after conducting a hearing pursuant to Practice Book §2-82(b) on February 9, 2006, the undersigned hereby APPROVE the *Conditional Admission*, a copy of which is attached hereto together with the *Affidavit* of the Respondent. Accordingly, the disposition agreed to by the Chief Disciplinary Counsel and the Respondent in the above referenced matter and set forth in the *Conditional Admission* is hereby made an order of this reviewing committee. The Respondent is reprimanded.

Reviewing committee member Dr. Frank G. Regan was not available for the February 9, 2006 hearing. The Chief Disciplinary Counsel and the Respondent waived the participation of Dr. Regan in the consideration and decision of the *Conditional Admission*. Accordingly, the matter was considered and decided by the undersigned.

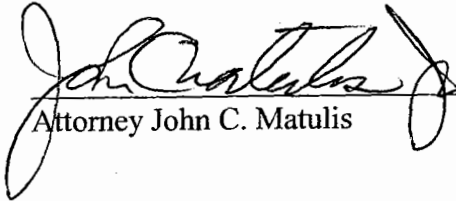
So ordered.

cc: Middlesex Grievance Panel

(8)
(asc)


DECISION DATE: 3/17/06

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Attorney John C. Matulis

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Attorney Shari Bornstein

STATEWIDE GRIEVANCE COMMITTEE

NO. 05-0886

DONALD D. HALL
Complainant

Vs.

KEVIN C. McDONOUGH
Respondent

CONDITIONAL ADMISSION AND AGREEMENT AS TO DISCIPLINE

Pursuant to Practice Book § 2-82, the undersigned Respondent and Disciplinary Counsel stipulate and agree as follows:

1. This matter was instituted by grievance complaint filed by the Complainant on September 19, 2005.
2. On November 29, 2005 the Grievance Panel for the Middlesex Judicial District found probable cause that the Respondent had violated Rules 1.4(a) and (b), 1.5(b), 1.16(d) and 8.1 as well as practice book section 2-27(b) and (e) in connection with his representation of the Complainant in a suit over the alleged conversion of a car.
3. The Respondent has tendered a conditional admission of fact in accordance with his affidavit attached hereto, admitting certain of the facts of the complaint.
4. Respondent has agreed that he will be reprimanded for a violation of Rule 1.5(b) for not having a written fee agreement with the Complainant.
5. A copy of the Conditional Admission and Affidavit has been sent to the Complainant. Complainant will be given an opportunity to

advise the Committee of his position on the disposition of this matter.

WHEREFORE, this matter is submitted to the Statewide Grievance Committee for its approval in accordance with Practice Book § 2-82 (b).

Date

12/19/05

Office of Disciplinary Counsel

By Mark A. Dubois
Chief Disciplinary Counsel

Respondent Kevin C. McDonough

Date

12/15/05

Kevin C. McDonough

AFFIDAVIT

STATE OF CONNECTICUT)

STATE OF CONNECTICUT)
COUNTY OF Middlesex Ss: Clinton

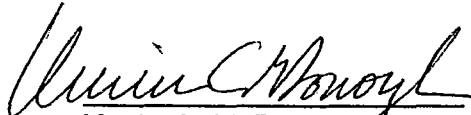
I am over the age of 18 and believe in the obligation of an oath.

Pursuant to Practice Book §2-82, I make the follow affidavit:

1. The Conditional Admission attached hereto and made a part hereof is voluntarily submitted.
2. I hereby consent to the form of discipline set forth in the attached Conditional Admission, that being a reprimand.
3. I am aware that I have a right to a full evidentiary hearing on this matter and I waive that right by entering into this agreement.
4. I have been neither subject to coercion nor duress and I am fully aware of the implications of this Affidavit and Conditional Admission.
5. I admit that I undertook to represent the Complainant, Donald Hall in a lawsuit over the alleged conversion of a Corvette automobile which he had consigned to Chester Zukowski and/or All-County Auto LLC.
6. As compensation for the representation, I accepted a 1970 Cadillac automobile and was consigned a \$1000 Stop and Shop gift certificate that had expired.
7. I admit that I was required by Rule 1.5(b) to give Mr. Hall a writing within a reasonable time after undertaking the representation


concerning the fee and other details of my undertaking for him and that I did not do so.

8. All I had as a fee agreement was a handwritten bill of sale from Mr. Hall that attempted to apportion the value of the Cadillac automobile to several legal matters I was handling or had handled for him.
9. I understand that I will be reprimanded for this conduct as a violation of Rule 1.5(b) of the Rules of Professional Conduct.


Kevin C. McDonough

Subscribed and sworn to before me

this 5th day of June 2005.


Notary
Commissioner of the Superior Court

DEBORAH A. SALEMME
NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 31, 2010